SINGLE BENCH

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. (C) NO. 7173 /2006

PETITIONER : Pawan Kumar Agrawal, Aged about 41 years, S/o. Radheshyam Agrawal, R/o. Ramanujganj Road, Ambikapur, District Surguja (CG)

P.R. No. 2291/06
Presented by Gurudev I Sarup
dated 12/12/06

VERSUS

RESPONDENTS :

1] State of Chhattisgarh, Through: Secretary, Revenue Department D.K.S. Bhawan, Raipur, District Raipur (CG)

2] Vijay Kumar Agrawal, Aged 55 years, S/o. Tarachand Agrawal,

3] Ajay Kumar Agrawal, Aged 50 years, S/o. Tarachand Agrawal,

4] Sanjay Kumar Agrawal, Aged 45 years, S/o. Tarachand Agrawal,

5] Abhay Kumar Agrawal, Aged 42 years, S/o. Tarachand Agrawal,

6] Krishna Kumar Agrawal Aged 40 years, S/o. Tarachand Agrawal,

Resp. No. 2 to 6 are resident of Gaddipara, Ambikapur, District Surguja (CG)

7] Ku. Nirusha Agrawal, D/o. Ramesh Chandra, Agrawal, Aged about 29 years, R/o. Vidyanagar, Ambikapur, District Surguja (CG)

8] Kailash Kumar Budhiya, S/o. Rameshwar Prasad Budhiya, Aged about 52 years, R/o. Sadar Road, Ambikapur, District Surguja (CG)

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9] Anil Kumar Agrawal, Aged about 45 years, Bajranglal Agrawal, R/o. Jawahar Market Ambikapur, Distt Surguja (CG)

10] Government P.G. College, Ambikapur, Through: its Principal, Ambikapur, District Surguja (CG)

11] Board of Revenue, Chhattisgarh Bilaspur, Through: its President, Bilaspur, District Bilaspur (CG)

12] Sunil Kumar Agrawal, S/o. Bajranglal Agrawal, Aged about 40 years, R/o. Ambedkar Chowk Ambikapur, District Surguja (CG)

13] Collector, Ambikapur, District Surguja (CG)

WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(143)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(C) No. 7173/ **सन्** /2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

5-1-2007

Shri Gurudev Sharan, learned counsel for the petitioner.
Shri Utkarsh Verma, learned Dy. G.A. for the State/respondents.
Shri Manoj Paranjpe, learned counsel for respondent No. 3/caveator.

This petition is directed against the order dated 7.12.2006 passed by Board of Revenue of Annexure P/8 whereby the Board allowing the revision preferred by respondents No. 2 to 6 has set aside the order passed by the Collector and upheld the orders passed by the Tehsildar and the Sub Divisional Officer.

From perusal of the order impugned it appears that there was a dispute between the parties with respect to situation of certain piece of land in revenue map. It is not in dispute that the petitioner was not a party to the said proceedings before the Revenue Board. The grievance of the petitioner is that by the said order the revenue maps have been so amended that the position of the land recorded in the name of the petitioner is not depicted in the revenue map.

I have heard learned counsel for the petitioner.

There is no dispute that the petitioner is recorded owner of the land and he is also in possession of the same. If he is aggrieved by any order of the revenue Courts passed behind his back, he can always apply before the competent revenue authorities for demarcation of the land recorded in his name in accordance with Land Revenue Code and the Court shall decide the same and do the needful to redress his grievance. Since the petitioner was not a party before the Tribunal against the impugned order which is admittedly passed behind his back, no case is made out for interference with the aforesaid order in the exercise of writ jurisdiction under Article 227 of the Constitution of India.

XI-HC-78

(144)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(C).No.7173/ **सन्** **2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In the result, the petition being devoid of substance is liable to be dismissed at the admission stage itself and is accordingly dismissed. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.